

Message Text

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PAGE 01 BELGRA 03023 171025Z
ACTION H-02

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FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC 6279

LIMITED OFFICIAL USE BELGRADE 3023

H PASS TO REP. ANDREW MAGUIRE

E.O. 11652: N/A
TAGS: CASC (ALIMI, TONY)
SUBJECT: TONY ALIMI

1. THIS BRIEF NOTE IS TO ASSURE YOU THAT I SHARE YOUR CONCERN ABOUT MR. ALIMI; WE IN THE EMBASSY IN BELGRADE ARE DOING EVERYTHING WE CAN TO SECURE HIS RELEASE FROM THE YUGOSLAV ARMY. WE WILL CONTINUE TO DO SO. BUT IT IS ONLY FAIR TO WARN YOU THAT THE ALIMI CASE INVOLVES SOME COMPLEX ISSUES OF INTERNATIONAL LAW ON WHICH THE UNITED STATES AND YUGOSLAV POSITIONS DIFFER. IN THE ABSENCE OF A CONVENTION OR TREATY BETWEEN OUR TWO COUNTRIES REGULATING THE QUESTION OF DUAL NATIONALITY THE YUGOSLAVS CONTINUE TO ASSERT THE SAME RIGHT TO A DUAL NATIONAL WHILE HE IS ON YUGOSLAV SOIL AS WE DO TO THAT DUAL NATIONAL WHEN HE IS ON AMERICAN SOIL. THIS, THEY ARE QUICK TO POINT OUT, IS A RIGHT ASSOCIATED WITH SOVEREIGNTY AND WELL GROUNDED IN INTERNATIONAL LAW. YOU WILL RECALL THAT, IN FACT, THE US GOVERNMENT-- WHEN WE HAD SELECTIVE SERVICE--DRAFTED INTO THE MILITARY PEOPLE WHO WERE NOT U.S. CITIZENS, BUT LIVING IN THE U.S.

2. I, OF COURSE, WANT TO GET MR. ALIMI OUT OF HIS PRESENT PREDICAMENT AND BACK TO THE UNITED STATES. BUT I AM EQUALLY CONVINCED THAT THE BEST WAY TO ACHIEVE THIS

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RESULT IS BY STEADY BUT PRIVATE PRESSURE ON THE YUGOSLAVS. OUR BEST HOPE LIES IN AVOIDING A CONFRONTATION, WHICH WILL ONLY LEAD THE YUGOSLAVS TO ASSERT WHAT THEY CONSIDER TO BE THEIR LEGAL RIGHTS; IF WE REACH THAT STAGE IT IS MR. ALIMI WHO WILL BE THE REAL LOSER. SO, I WANT TO CONTINUE TO PROCEED THROUGH QUIET DIPLOMACY UNTIL IT IS CLEAR THAT SUCH A COURSE WILL NOT WORK. THEN WE CAN

LOOK AT OTHER POSSIBLE ALTERNATIVES.

3. I HAVE BEEN KEEPING THE PRESSURE ON (AND THE YUGOSLAV FOREIGN OFFICE CLEARLY WANTS TO SETTLE THE CASE QUICKLY AND IN OUR FAVOR, BUT IS NOT THE FINAL AUTHORITY IN SUCH CIRCUMSTANCES), AND WILL CONTINUE TO DO SO. I AM HOPEFUL WE WILL HAVE THE ANSWERS WE WANT SOON.
EAGLEBURGER

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